



Document Retention

Eastern Region Training Group

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Introduction

The aim of this policy and procedure is to provide all staff with a simple framework which will govern the decisions on whether a particular document should be retained or disposed of. In the case of documents which are to be retained, the policy includes guidance on the format in which they should be retained and appropriate retention periods.

Eastern Region Training Group (ERTG) has implemented this policy to save all staff time when retrieving information, in particular by reducing the amount of information that may be held unnecessarily.

Information is one of ERTG's corporate assets; in the course of carrying out its varied functions, ERTG accumulates information from both individuals and external organisations.

These documents and records are in several different formats, examples of which include communications such as letters, emails and attendance notes; financial information including invoices, statements and reports; legal documentation such as contracts are also some examples of how data is received.

For the purpose of this policy the terms document and records include information in both hard and electronic form.

In some instances, it will be necessary to retain specific documents to fulfil statutory or regulatory requirements and also to meet operational needs.

Document retention may also be useful to evidence events or agreements in the case of disputes and or legal representation.

Premature destruction of documents could result in the inability to defend litigious claims, operational difficulties and failure to comply with the Freedom of Information Act 2000, the Data Protection Act 1998 and General Data Protection Regulations 2018.

Policy Statement

ERTG will ensure that information is not kept longer than is necessary and will retain the minimal amount of information that it requires to carry out its duties statutory functions and the provision of the service.

Retention and Disposal Policy

Decisions relating to the retention and disposal of documentation should be taken in accordance with this policy, in particular:

- Appendix 1 - Disposal and Retention Consideration - A check list to be followed where the disposal of any document is being considered.
- Appendix 2 - Document Retention Schedules -guidance on the recommended and statutory minimum retention periods for specific types of documents and records.

In circumstances where the retention period of a specific document has expired, a review should always be carried out prior to a decision being made to dispose of it. This should not be a timely process however if the document/record is to be disposed of, then consideration should be given to the method of disposal to be used.

Roles and Responsibilities

Clive Coote as manager will be responsible for determining (in accordance with this policy) whether to retain or dispose of specific documents for the entire company. Each member of staff will have a greater subject knowledge within the remit of their service area.

Each staff member may delegate the operational aspect of this function to one or more employees within their department such as the shredding and deletion of electronic items.

Head of department should ensure that the Schedule in Appendix 2 which is relevant to their department is kept up to date.

Disposal

Confidential waste documents should be made available for collection by use of confidential waste bins and sacks which are located around the delivery centre in order that they can be destroyed. It is essential that any documents which are to be disposed and that contain confidential or personal data must be disposed of in this way, in order to avoid breaches of GDPR 2018.

Disposal of documents other than those containing confidential or personal data, may be disposed of by binning, recycling or deletion (electronic documents).

Records of disposal should be maintained by each service area and should be detail the document disposed of, the date and the name of the person who authorised the document's disposal.

Appendix 1

Disposal and Retention Considerations

Each of the following questions and guidance underneath them and should be considered prior to the disposal of the document.

1. Has the document been appraised?
 - Check the nature and contents of the document is suitable for disposal

2. Is retention required to fulfil statutory obligations or other regulatory obligations?

Specific legislation setting out mandatory retention periods for:

 - Company Records (Companies Act 2006) - Certificate of Incorporation, Articles of Association and Registers of Members and Directors - 10 years
 - Individual Tax records - Documentation with reference to individual taxpayers - 6 years
 - Corporation Tax - Corporation tax records minimum of 6 years
 - PAYE Records (Income Tax (PAYE) Regulations 2003) - Including CIS scheme records must be kept for 3 years after the end of the tax year
 - VAT (VATA 1994) - Minimum of 6 years retention
 - Property Lease - Minimum of 15 years unless lease is sold on.

3. Is retention required for evidence?
 - Keep any documents which may be required for legal proceedings until the threat of proceedings has passed

4. Is retention required to meet the operational needs of the service?
 - Consider whether the document in question may be useful for future reference e.g. performance management purposes or future bid writing

Appendix 2
Document Retention Schedules
Introduction

The following schedules provide guidance on the retention periods applicable to a wide range of ERTG’s documents.

Explanation of Retention Schedule Headings

There is a Document Retention Schedule for each department. The headings in each schedule are as follows:

- Reference Number - This section provides ease of reference
- Function Description - Notes that define each function in terms of related activities
- Retention Action - This entry provides guidance as to whether the document should be retained and if so how long for. This section also described the appropriate disposal method to be used
- Examples of Records - This section provides common examples of the type of records included within this function
- Notes - This indicates action is common practise or statutory

Glossary of Terms

Archiving - The method of archiving selected for a particular document may vary between departments and will depend on the type and format of documents. Employees should speak with their Head of Department if they are unsure as to the appropriate method of archiving for the document(s) in question. Archiving may include but will not be limited to electronic storage on a record management system, storage in a secure filing cabinet and in some cases sending documents to external bodies for external archiving such as accountants, college or other awarding body.

Administrative Use - When staff no longer need access to the document e.g. course finishes or learner fails to attend/complete the course and the file has been closed.

Closure - Destroy 2 years from closure. A record/file is closed when it ceases to be active. After closure, no new papers/information should be added. Triggers for closure of a file include: reaching an unmanageable size, covering a period of 2 years or more, no records added for period of time etc.

Permanent - Records which must be kept indefinitely for legal/contractual purposes.

ERTG Document Retention Schedule

Ref No	Function Description	Retention Action	Examples of
Records	Notes		
ERTG001	Training Records	Length of contract	

Ref No.	Function Description	Retention	Examples of Records	Appropriate disposal Method

ERTG001	Learning & Development	Length of Contract - Archive and return to Prime if appropriate	Attendance Records Learner Records Course Completion Data Learner Certificates Learner Work Books Learner Emergency Contact Details	Confidential Shredding
ERTG002	Business	Reviewed Annually	Policies and procedures Insurance documents H&S documents Director(s), Shareholders and company secretary Information Shareholder Votes and Resolutions Loan Information Assets Employee Qualifications Employee CPD Employee DBS Employee CVs	Confidential Shredding
ERTG003	Accounts	6 years	Audited Accounts VAT Records Tax Records Invoices and Credit Notes	Confidential Shredding